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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,738	05/23/2001	Jeffrey A. Balluff	10007009-1	2802

7590 08/10/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

AZAD, ABUL K

ART UNIT PAPER NUMBER

2654

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,738	BALLUFF ET AL.	
	Examiner	Art Unit	
	ABUL K. AZAD	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending in this Office Action.

Specification

2. The disclosure is objected to because of the following informalities: The disclosure are objected to because the term "voice recognition" is misused for what nowadays is called --**speech recognition**-- in the speech signal processing art. While "voice recognition" and "speech recognition" were both once used interchangeably to refer to spoken word recognition, nowadays these two terms are distinguished. The term "**voice** recognition" now denotes identification of **who** is doing the speaking (class 704/246), while "**speech** recognition" (or "**word** recognition") denotes identification of **what** is being said (class 704/251). So, appropriate correction to the proper terms of art is required.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, because of indefinite claims language.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine

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that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “voice” in claims 1-20 is used by the claim to mean “speech”, while the accepted meaning is “speech.” The term is indefinite because the specification does not clearly redefine the term.

The term “voice recognition” is misused for what nowadays is called **--speech recognition--** in the speech signal processing art. While “voice recognition” and “speech recognition” were both once used interchangeably to refer to spoken word recognition, nowadays these two terms are distinguished. The term “**voice** recognition” now denotes identification of **who** is doing the speaking (class 704/246), while “**speech** recognition” (or “**word** recognition”) denotes identification of **what** is being said (class 704/251). So, appropriate correction to the proper terms of art is required

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-8 and 11-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ortega et al.(US 6,535,848).

As per claim 1, Ortega teaches, “a method of communicating information between a first individual and a second individual” (col. 7, line 3, teleconference), comprising:

“receiving a first signal in voice format from the first individual” (col. 4, lines 52-65);

“automatically converting the first signal directly from voice format into text format” (col. 7, lines 5-12);

“receiving a second signal in voice format from the second individual” (col. 4, lines 52-65);

“automatically converting the second signal directly from voice format into text format” (col. 4, lines 52-65).

As per claim 2, Ortega teaches, “wherein the second signal is remotely received from the second individual via a telecommunications network” (col. 3, lines 46-59).

As per claim 3, Ortega teaches, “further comprising distinguishing the first signal from the second signal” (col. 8, lines 39-65).

As per claim 4, Ortega teaches, “visually displaying the first signal as first portions of text; and, visually displaying the second signal as second portions of text” (col. 7, lines 31-50).

As per claim 5, Ortega teaches, “assigning a first label to the first signal; and, assigning a second label to the second signal” (col. 8, lines 39-57).

As per claim 6, Ortega teaches, “visually displaying the first label with the first portions of text; and, visually displaying the second label with the second portions of text” (col. 12, lines 1-12).

As per claim 7, Ortega teaches, “storing the first signal in text format; and, storing the second signal in text format” (Fig. 10, element 1014 “store combined file”).

As per claim 8, Ortega teaches, “wherein the text format of the converted first and second signals comprises electronic signals representative of the text format, the method further comprising providing a readable memory device, and storing thereon at least a portion of the electronic signals representing the text format” (col. 4, lines 29-40).

As per claims 11-13, 15-16, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-8.

As per claim 14 Ortega teaches, “wherein the apparatus is configured to be used in a customer support environment to facilitate the communication of customer support data via a telecommunication network and between the first individual, who is a support technician, and the second individual, who is a customer” (col. 7, line 3, “teleconference”, here teleconference can be use in a customer support environment, communication can be take place between customer support technician and the customer).

As per claims 17-20, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-8 and 14.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega (US 6,535,848) as applied to claim 1 above, and further in view of well-known prior art.

As per claim 9, Ortega does not explicitly teach, "the first portions of text are visually displayed in a first color; and, the second portions of text are visually displayed in a second color". Official Notice is taken on the well-known visually displaying different text in different color. Therefore, it would have been obvious to one of ordinary skill in the display art at time of the invention to use the first portions of text are visually displayed in a first color; and, the second portions of text are visually displayed in a second color because one of ordinary skill would readily recognize that would clearly distinguish two text side by side.

As per claim 10, Ortega teaches, "the first portions of text are visually displayed in a first typographical font; and, the second portions of text are visually displayed in a second typographical font". Official Notice is taken on the well-known visually displaying different text in different font. Therefore, it would have been obvious to one of ordinary skill in the display art at time of the invention to use the first portions of text are visually displayed in a first typographical font;

and, the second portions of text are visually displayed in a second typographical font because one ordinary skill would readily recognize that would clearly distinguished two text side by side.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

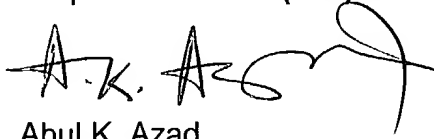
(703) 872-9314

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office at telephone number **(703) 306-0377**.

A handwritten signature in black ink, appearing to read 'A.K. Azad', with a stylized flourish at the end.

Abul K. Azad

August 6, 2004